

Highlights of Civil Service Changes


Based on rules adopted 7/29/04



The following summary is provided to help employees and employers understand the changes that will result from the new civil service rules and classification system. For more complete information, please see the full text of the new rules, available at <http://hr.dop.wa.gov/hrreform/rules.htm>.

For represented employees, the provisions of their collective bargaining agreements may differ from the rules outlined below and would supercede the rules. The Department of Personnel is working with the Labor Relations Office to prepare a document that compares the new rules and the bargaining agreements.

Recruitment & Selection Processes	
<div> <div>Class-wide recruitment and centralized responsibility</div> <div>→</div> <div>Position-specific flexibility and employer decision-making</div> </div>	
Now	Future
General government employers are authorized to recruit, assess, and certify candidates for some positions. Higher education employers have decentralized authority.	All employers authorized to recruit, assess and certify candidates for all positions.
DOP recruits for some jobs continuously, some on demand. Some recruiting is automated, some manual processing.	DOP recruits for all categories continuously. All DOP recruiting is automated.
Minimum requirements adopted by Personnel Resources Board (PRB) on job class basis.	Competency requirements for individual positions established by employer based on job analysis.
Rules specify how many and who will be certified (referred to the employing official for further consideration).	If there are no layoff (RIF) candidates, employer determines how many and who to certify based on competency match with specific opening.
For general government, rule of 1 applies if names exist on any reduction-in-force (RIF) register. For higher education, rule of 1 applies if names exist on institution-wide layoff list.	All internal layoff candidates who fulfill position-specific requirements are certified to the employing official. Depending on an employer's promotional policy, internal promotional candidates may also be included in this certification, if they meet the position competency requirements. The employing official may appoint an individual from the pool of certified candidates. In the absence of internal layoff candidates, all statewide layoff candidates


	<p>who fulfill position-specific requirements are certified to the employing official. Depending on an employer's promotional policy, internal promotional candidates may also be included in this certification. The employing official may appoint an individual from the pool of certified candidates.</p> <p>If the number of names certified through these methods results in less than 10, the employer may choose to consider additional eligible candidates.</p> <p>In general government, the certification procedure must provide for consideration of candidates from the transition pool if candidates other than layoff candidates or promotional candidates are certified.</p>
DOP exam process determines candidate ranking. Exams developed as a result of job analysis of KSAs needed on a class-wide basis.	Candidate ranking determined on position-specific basis as a result of job analysis of competencies needed for the specific position.
General government employers must ask DOP to test members of underutilized groups for placement on registers.	When goals exist, employers may add affected group members to eligible applicant pools at any time.
General government employers may request that DOP remove names from a certification and certify replacement names.	Employers may remove names from a certification for good and sufficient reason and certify replacement names.
Promotional preference directed by rule.	Employer determines promotional preference policy.
Appointments	
<div> <div> Rigid probationary and return rights </div> <div>  </div> <div> More flexibility for employees and employers </div> </div>	
Now	Future
Probationary periods established by WPRB on class-wide basis at 6-12 months. May be extended class-wide by Board.	Probationary periods set by the DOP Director at 6-12 months class-wide and employers may extend on position or class basis to no more than 12 months.
All trial service periods are six months.	All trial service periods set by the DOP Director at 6 to 12 months class-wide and employers may extend on position or class basis to no more than 12 months.
For general government, no trial service period when employees with permanent status voluntarily transfer or demote.	Employees who voluntarily transfer or demote may be required by employer to have a trial service period.
For higher education, no trial service	

period when employees with permanent status voluntarily transfer or demote within an institution.	
For general government, no review period for employees hired from RIF status. For higher education, review period only if hired from a statewide layoff list.	Employers may require a transition review period for RIF appointees.
For general government, if reverting within an agency, right to revert to position in former class. If reverting following promotion to a different agency, the employee can go on dual agency and service wide reversion lists. For higher education, if reverting within the institution, preemptive rights to former position or vacant position in the class. If reverting following promotion to a different institution or agency, the employee is placed on the institution's layoff list.	Right of reversion is with <i>current</i> employer at time of reversion unless former employer allows return. Reversion is to vacant position. For general government, may also be a position held by nonpermanent employee. If not returned to a permanent job in former class, employee can go on internal layoff list. General government employees may also go in the transition pool.
Higher education employers must use a hiring process to return employees to a class in which they previously attained permanent status and later voluntarily demoted.	Employers may directly return employees to a former class in which they previously attained permanent status and later voluntarily demoted.
In-training available in general government only.	In-training available to all employers.
Project employment only applies to general government. Project employees appointed through the competitive process gain transfer and promotional rights after gaining permanent project status.	Project employment applies to both general government and higher education. All project employees gain permanent status after completing a probationary period and gain the rights of permanent employees. Layoff rights are within layoff unit which is the boundaries of the project.
General government nonpermanent appointments are limited to nine months unless extended by DOP Director.	General government nonpermanent appointments encouraged to be limited to 12 months but may last up to 24 months. Intermittent appointments may go on indefinitely as long as work is sporadic without a particular pattern.
General government permanent employees may take non-permanent job with another state employer with full right of return to "home" agency.	"Home" agency may limit return rights if employee takes nonpermanent job with another state employer but must grant access to internal layoff list.
General government consecutive nonpermanent appointments with the same employer are limited to 1560 hours.	Consecutive nonpermanent appointments with the same employer are allowed if the appointments are to different positions.
For general government, no consequence if non-permanent appointment exceeds 24 months.	If non-permanent appointment exceeds 24 months without approval from DOP Director, permanent status may be conferred through remedial action.

For general government, re-employment register ranked 10th. Applicants must apply within five years of resignation. For higher ed, following resignation, former permanent employees must apply and compete as an open-competitive candidate.	Employers may re-employ past permanent staff who possess job competencies at any time, provided there are no layoff candidates who meet job-required competencies.
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Layoff and Separation

Options based on classification titles and seniority	Options based on skill matches with options for performance considerations
Now	Future
Reasons for layoff include lack of funds or curtailment of work, or good faith reorganization for efficiency purposes.	Reasons include <i>but are not limited to</i> lack of funds, lack of work, or organizational change.
Decision of which position to layoff is the employer's, but once decision is made the employee has the right to bump based on seniority.	Decision is still employer's but the option to bump is not dependent upon seniority alone. Employers with performance management confirmation are allowed to factor performance into employment retention and not use seniority as the sole factor. Also, employers may choose not to offer some positions as bump options based upon the skills/competencies required by those positions. This must be addressed in the employer's layoff procedure.
For general government, employees only have layoff options to classes in which they have held permanent status. Higher education employees have access to lower classes in class series even if permanent status has not been held in lower class.	Employees have access to lower classes in class series or occupational category even if permanent status has not been held in the lower class.
For general government, employees must be able to satisfy selectives of a position for it to be offered as a layoff option. Higher education employees must satisfy specific position requirements and the position must be comparable for it to be offered as an option.	Employers may consider the "comparability" of positions when offering layoff options and employees must possess the competencies and satisfy the position requirements in order to be offered a position as a layoff option.
Employees may remain on layoff lists for up to three years.	Employees are eligible to be on layoff lists for two years.
For rehire rights, most senior RIF candidate is referred – rule of one.	All internal RIF candidates are referred and agency can also refer all internal promotional candidates.

Employees appointed to positions as layoff options or from institution or agency-wide layoff lists are appointed with permanent status.	Employers may require employees to serve transition review periods.
For general government, five days' notice is required for probationary separations and for higher education, one day's notice is required.	One day's notice is required for probationary separations.
Classification	
Classifications limit options for employees & employers	 Increased flexibility to meet changing business needs
Now	Future
There are two separate classification systems: one for general government and one for classified employees in higher education.	The two systems will be merged into one.
Class specifications narrowly define the work to be done, making it difficult to change the work assigned as business needs change. New classes are sometimes created to cover work that may be only slightly different in nature.	Specifications will be written more broadly than the current ones to allow for more flexibility as individual position needs change.
General government uses classification questionnaires and higher education uses position questionnaires to determine which class is the best fit for a position (that is, how to "allocate" a position).	The new position description form (PDF) provides more information about the specific position, such as the skills/competencies needed to be successful.
Employees may submit a revised classification questionnaire or position questionnaire to have the allocation of their position reviewed.	Employees may initiate position reviews using a new position review request form.
For general government, employers are delegated allocation authority by the DOP. For higher education, all allocation authority is decentralized.	The new rules give all employers authority to allocate positions.
An employee is appointed to reallocated position if she/he has been doing the duties for: <ul style="list-style-type: none"> ■ 12 months for general government ■ six months for higher ed If the employee hasn't done the higher level duties long enough, the employee must be referred from a register or eligible list to be appointed.	An employee remains in the reallocated position if she/he has performed the higher level duties for six months. If the employee hasn't done the higher level duties for six months, the employee can be promoted to the reallocated position without being certified or referred.

Compensation

Little flexibility to address unique situations



More flexibility to address unique situations; options for performance recognition

Now	Future
<p>For promotional salary increases:</p> <ul style="list-style-type: none"> ■ A general government employee receives a minimum of 5% if the promotion is to a class less than six ranges higher than the class from which the employee is promoting. ■ A minimum of 10% if the promotion is to a class with a salary range that is at least 6 ranges higher than the class from which the employee is promoting. <p>For higher ed, employees receive at least a two-step increase but the employer may provide higher increases.</p>	<p>Employees receive at a minimum a two-step (5%) increase. Employer may provide more than a two-step increase.</p>
<p>A two-step increase is given on the employee's periodic increment date. There is no ability to defer or accelerate increases for employees.</p>	<p>A two-step increase is given on the periodic increment date but employers have flexibility to adjust increases:</p> <ul style="list-style-type: none"> ■ May adjust the timing and amount of increment increases for all employees in agency, employees in specific positions, all employees allocated to a specific class, or all employees in a specific organizational unit based upon the nature of work or training requirements. Employees must still receive at least two steps annually. ■ May accelerate or defer individual employee's increment increases based upon performance if the employer has received performance management confirmation.
<p>For general government, increases for recruitment and retention are currently handled as group C assignment pay and requires DOP approval.</p> <p>For higher ed, increases for recruitment and retention are treated as special pay which requires DOP approval.</p>	<p>Employers may grant up to 15% premium to support the recruitment or retention of the incumbent or candidate for a <i>specific position</i>. May be added to base salary or paid on lump sum. With Director approval may grant more than 15% for a specific position or may grant R&R premium to support the recruitment or retention of incumbents or candidates for <i>like positions at a specific work location</i>.</p>
<p>There is no ability to give performance recognition pay.</p>	<p>The DOP Director or employers with performance management confirmation</p>

	may grant additional pay to individuals or groups of employees on a lump sum basis for recognition of outstanding accomplishments or the achievement of pre-defined work goals.
Scheduled employees receive overtime for hours worked in excess of the daily work shift or over 40 hours in a workweek. Nonscheduled employees receive overtime for hours worked in excess of 40 hours in workweek. All paid leave is considered time worked.	Overtime-eligible employees receive overtime for hours worked over 40 hours in a workweek or work on a scheduled day off when required by the employer. Paid holidays are considered time worked but paid leave is <i>not considered</i> time worked for purposes of overtime calculation.
For call back pay: <ul style="list-style-type: none"> General government employees receive three hours of penalty pay. Higher ed employees receive two hours of bonus pay. 	Guaranteed a minimum two hours of pay regardless of time actually worked; no penalty or bonus pay.
Performance Management	
<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <p>Rules not designed to foster a performance-based culture</p> </div> <div style="font-size: 2em;">➡</div> <div style="text-align: center;"> <p>Structures in place to support a performance-based culture</p> </div> </div>	
Now	Future
No current provision for performance management confirmation.	DOP Director develops performance management confirmation criteria. When the Director determines that an employer has satisfied the criteria, the Director may grant the employer authority to factor individual employee performance into compensation and layoff decisions.
For general government, nine specified causes for disciplinary action. For higher ed, appointing authorities may demote, suspend, reduce in salary, or dismiss a permanent employee under their jurisdiction for just cause.	Appointing authorities may demote, suspend, reduce in salary, or dismiss a permanent employee under their jurisdiction for just cause.
Positive discipline alternative not addressed in rule.	As an alternative to discipline that deprives an employee of pay, employers may develop alternative actions that notify an employee of performance deficiencies and the measures that are necessary to achieve successful performance.
For general government, a dismissal for unauthorized absence may be effective one day after mailing the notice. For higher ed, dismissal effective upon mailing notice.	Dismissal can be effective upon mailing; do not need to wait one calendar day.

<p>Agencies may dismiss a permanent employee for cause. The employee shall be furnished with specified charges in writing at least 15 calendar days prior to the effective date.</p> <p>For general government, an employee who is to be dismissed for cause may be suspended without pay for the period between the notice to dismiss and the effective date of the dismissal if the appointing authority believes the good of the service requires the immediate separation of the employee.</p> <p>For higher ed, an employee who is dismissed for cause may be dismissed immediately if retention of the employee during the notice period may result in damage to state property or injuries to the employee or others.</p>	<p>If an appointing authority determines that a permanent employee is to be dismissed the employee may be dismissed:</p> <ol style="list-style-type: none"> 1. With 15 calendar days' written notice 2. By written notice with pay in lieu of 15 calendar days' notice, or 3. Immediately when warranted for the good of the service without giving 15 days' notice and without pay in lieu of notice.
Reviews and Appeals	
Rules are in draft form now and will be proposed for adoption in October 2004.	
Leave	
Rules will be drafted in fall 2004 and proposed for adoption in early 2005.	
Washington Management Service	
Rules will be drafted in fall 2004 and proposed for adoption in early 2005.	